

**MEETING MINUTES
January 22, 2020**

The members of the City Council of the City of Phenix City, Alabama met in a regularly scheduled council meeting on Wednesday, January 22, 2020 at 9:00 a.m. in the Council Chambers within the Public Safety Building located at 1111 Broad Street, Phenix City, Alabama. Upon roll call, the following members of Council were present: Councilmember Arthur L. Day, Jr., Councilmember Vickey Carter Johnson, Councilmember Steve Bailey, Councilmember R. Griff Gordy, and Mayor Eddie N. Lowe. Also present were: City Manager Wallace Hunter, City Clerk Melony Lee, and City Attorney Jimmy Graham.

Upon a quorum being established, Mayor Lowe called the meeting to order.

Reverend Steve Pace with Summerville Baptist Church delivered the invocation.

Councilmember Gordy led the pledge of allegiance to the United States Flag.

Mayor Lowe presented the regularly scheduled meeting minutes of the January 6, 2020 Work Session and the January 7, 2020 Council Meeting minutes for approval. Councilmember Day moved to approve the minutes, which motion was seconded by Councilmember Gordy. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Johnson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

Mayor Lowe presented the called meeting minutes of the January 9, 2020 State of the City Address for approval. Councilmember Gordy moved to approve the minutes, which motion was seconded by Councilmember Johnson. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Johnson, Bailey, Gordy and Mayor Lowe. NAYS: None. ABSTAIN: None. The motion thus passed.

Mayor Lowe stated there was no unfinished business to address at this time.

Mayor Lowe presented Resolution No. 2020-05 to be ratified in reference to authorizing the Mayor and City Manager to accept a proposal from Sain & Associates to provide Engineering and Inspection services for the replacement of the bridge crossing Mill Creek along Opelika Road.

RESOLUTION NO. 2020-05

Councilmember Johnson moved to ratify the resolution, which motion was seconded by Councilmember Bailey. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Johnson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

Mayor Lowe presented a resolution in reference to renewing the tax structure of the City of Phenix City, Alabama for the tax year beginning October 1, 2020.

RESOLUTION NO. 2020-06

Councilmember Day moved to approve the resolution, which motion was seconded by Councilmember Gordy. Upon said motion being put to a vote, the following vote was recorded:

YEAS: Councilmembers Day, Johnson, Bailey, Gordy, and Mayor Lowe. NAYS: None.
ABSTAINS: None. The motion thus passed.

Mayor Lowe presented two (2) resolutions in reference to authorizing the Mayor and City Manager to take all actions necessary to acquire the following properties from the State of Alabama in an amount not to exceed \$100.00 per property.

1. 1 Old State Road, Parcel # 57-08-02-04-1-004-002.000#0

RESOLUTION NO. 2020-07

2. 7 Old State Road, Parcel # 57-08-02-04-1-004-003.000#0

RESOLUTION NO. 2020-08

Councilmember Day moved to approve the resolutions, which motion was seconded by Councilmember Bailey. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Johnson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

Mayor Lowe presented a resolution in reference to authorizing and directing the Mayor and City Manager to sign Change Order No. 1 with Constantine Engineering in the amount of \$31,810.00 for reduction and addition of Summerville Road Sanitary Sewer Project.

RESOLUTION NO. 2020-09

Councilmember Johnson moved to approve the resolution, which motion was seconded by Councilmember Bailey. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Johnson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

Mayor Lowe presented a resolution in reference to authorizing the Mayor and City Manager to accept a quote from Huckaby Brothers FloorCovering, Inc. to replace the floor covering in the Municipal Building Complex.

RESOLUTION NO. 2020-10

Councilmember Gordy moved to approve the resolution, which motion was seconded by Councilmember Day. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Johnson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed

Mayor Lowe presented seven (7) resolutions in reference to declaring properties a public nuisance and authorizing and directing the Housing Code Abatement Board to take necessary action to demolish, remove and clear all building materials, trash, and debris from the following properties:

1. 1305 7th Avenue

RESOLUTION NO. 2020-11

2. 2113 9th Avenue

RESOLUTION NO. 2020-12

3. 308 16th Avenue South

RESOLUTION NO. 2020-13

4. 401 15th Avenue South

RESOLUTION NO. 2020-14

5. 2407 16th Court

RESOLUTION NO. 2020-15

6. 2409 16th Court

RESOLUTION NO. 2020-16

7. 707 8th Street

RESOLUTION NO. 2020-17

Councilmember Gordy moved to approve the resolutions, which motion was seconded by Councilmember Bailey. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Johnson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

Mayor Lowe presented a resolution reference to accepting a quote and authorizing the purchase of a 20ft x 50ft x 14ft Awning in an amount not to exceed \$5,400.00 for the Vehicle Maintenance Division.

RESOLUTION NO. 2020-18

Councilmember Johnson moved to approve the resolution, which motion was seconded by Councilmember Day. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Johnson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

Mayor Lowe presented a resolution in reference to declaring various items surplus to be sold as scrap or destroyed at the City Landfill.

RESOLUTION NO. 2020-19

Councilmember Gordy moved to approve the resolution, which motion was seconded by Councilmember Bailey. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Johnson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

Mayor Lowe presented a resolution in reference to declaring one 1994 Ford Backhoe as surplus to be sold at auction or as scrap.

RESOLUTION NO. 2020-20

Councilmember Day moved to approve the resolution, which motion was seconded by Councilmember Gordy. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Johnson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

Mayor Lowe presented a resolution in reference to authorizing the Mayor and City Manager to accept a proposal from Thompson Insurance, Inc. for property and liability insurance for calendar year (2020) in the amount of \$228,630.00.

RESOLUTION NO. 2020-21

Councilmember Day moved to approve the resolution, which motion was seconded by Councilmember Gordy. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Johnson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

Mayor Lowe presented for second reading an application for a Bonding Company License submitted by Maurice Ward for Ward's Bail Bond Company located at 231 Huguley Road, Valley, Alabama. Councilmember Gordy moved to approve the application, which motion was seconded by Councilmember Johnson. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Johnson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

Mayor Lowe presented for second reading an application for an Off Premise Beer License and an Off Premise Whiskey/Wine License (Retail Package Store) submitted by Shahzana M. Merchant for Merchant and Associates, LLC dba Alabama Spirits and Wine located at 3764 C Opelika Road Phenix City, Alabama. Councilmember Gordy moved to approve the application, which motion was seconded by Councilmember Bailey. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Johnson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

City Attorney Jimmy Graham presented a tabled claim against the City of Phenix City, filed by Jessica Murphy. City Attorney Jimmy Graham stated that the claim stated the City's sewer system backed up into the home of Ms. Murphy causing damage. City Attorney Graham stated that claim was tabled at the last meeting. City Attorney Graham also stated that the City's Insurance Company has accepted liability and are working with Ms. Murphy to get her house fixed and will bill the City for the \$5,000.00 deductible. City Attorney Graham recommended approval to pay the \$5,000.00 deductible. Councilmember Johnson moved to approve the City Attorney's recommendation to pay the \$5,000.00 deductible, which motion was seconded by Councilmember Day. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Johnson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

City Attorney Jimmy Graham presented a tabled claim against the City of Phenix City, filed by Brittany Pell. City Attorney Jimmy Graham stated that the City's sewer system backed up into the home of Ms. Murphy which is being rented by Ms. Pell. City Attorney Graham also stated that the City's Insurance Company is working with Ms. Pell as well and will bill the City for the \$5,000.00 deductible. City Attorney Graham recommended approval to pay the \$5,000.00

deductible. Councilmember Gordy moved to approve the City Attorney's recommendation to pay the \$5,000.00 deductible, which motion was seconded by Councilmember Bailey. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Johnson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

City Attorney Jimmy Graham presented a claim against the City of Phenix City, filed by Curtis Bishop a representative of Shiloh Baptist Church. City Attorney Jimmy Graham stated that the claim alleges that on December 1, 2019, a sanitary sewer stoppage caused property damage to Shiloh Baptist Church. City Attorney Jimmy Graham recommended tabling the claim until we receive the three estimates as required. Councilmember Gordy moved to approve the City Attorney's recommendation to table the claim, which motion was seconded by Councilmember Johnson. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Johnson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

City Attorney Jimmy Graham presented a claim against the City of Phenix City, filed by Janis Bowman. City Attorney Jimmy Graham stated that the claim alleges that on December 24, 2019, while driving on Sanford Road, the claimant ran over a cut in the road and damaged her vehicle. City Attorney Graham recommended paying the claim in the lowest estimate of \$1,516.53. City Attorney Graham stated Public Works could not pave the cut because the asphalt plant was closed from December 20, 2019 through January 3, 2020 for maintenance. City Attorney Graham also stated that gravel was placed in the cut as a temporary cover but had weathered away. Councilmember Gordy moved to approve the City Attorney's recommendation to pay the claim in the lowest estimate of \$1,516.53, which motion was seconded by Councilmember Bailey. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Johnson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

City Attorney Jimmy Graham presented a claim against the City of Phenix City, filed by Shekelia Frazier. City Attorney Jimmy Graham stated that the claim alleges that on December 23, 2019, while driving on Sanford Road, the claimant ran over a cut in the road and damaged her vehicle. City Attorney Graham recommended paying the claim in the lowest estimate of \$1,345.42. City Attorney Graham stated Public Works could not pave the cut because the asphalt plant was closed from December 20, 2019 through January 3, 2020 for maintenance. Councilmember Gordy moved to approve the City Attorney's recommendation to pay the claim in the lowest estimate of \$1,345.42, which motion was seconded by Councilmember Johnson. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Johnson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

City Attorney Jimmy Graham presented a claim against the City of Phenix City, filed by Jennifer Gordy. City Attorney Jimmy Graham stated that the claim alleges that on January 6, 2020, a trash truck picked up a toy Police Motorcycle that was mistaken for trash and crushed it. City Attorney Graham recommended paying the claim in the lowest estimate of \$280.99. City Attorney Graham stated that the motorcycle was in the front of the house and not on the side where the garbage pickup is. Councilmember Bailey moved to approve the City Attorney's recommendation to pay the claim in the lowest estimate of \$280.99, which motion was seconded by Councilmember Johnson. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Johnson, Bailey, and Mayor Lowe. NAYS: None. ABSTAINS: Councilmember Gordy. The motion thus passed.

City Attorney Jimmy Graham presented a claim against the City of Phenix City, filed by James Hathaway. City Attorney Jimmy Graham stated that the claim alleges that on January 3, 2020, while driving on Lakewood Drive, he ran over a pothole and damaged his front passenger tire. City Attorney Graham recommended paying the claim in the lowest estimate of \$124.91. City Attorney Graham stated Public Works could not pave the pothole because the asphalt plant was closed from December 20, 2019 through January 3, 2020 for maintenance. Councilmember Gordy moved to approve the City Attorney's recommendation to pay the claim in the lowest estimate of \$124.91, which motion was seconded by Councilmember Bailey. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Johnson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

Councilmember Day commended Mayor Lowe on a job well done in leading the City Council and serving the community. Councilmember Day congratulated Mayor Lowe on receiving the 2020 Dr. Martin Luther King Jr. Unity Award on January 20, 2020. Councilmember Day stated the award was well deserved because Mayor Lowe shows his affection for the City.

Mayor Lowe thanked Councilmember Day for his kind words. Mayor Lowe stated he has always tried to remain humble. Mayor Lowe also stated that he has been taught to be sincere in giving and not to look for anything in return. Mayor Lowe thanked the Council for also giving it their all and for the right reasons - the citizens of Phenix City.

Councilmember Bailey stated that Central High School did an outstanding job on hiring their new football Coach Patrick Nix. Councilmember Bailey stated that he wishes good luck to Coach Nix and the Central High School Red Devils on the upcoming football season. Councilmember Bailey also stated that the Phenix City School Board and Superintendent Randy Wilkes acted quickly in replacing Coach James DuBose who retired from the position this year.

Councilmember Day reminded everyone that the Elected Officials Luncheon on January 30, 2019 is from 11:30 a.m. to 1:00 p.m. at the Max Wilkes Martin Idle Community Center and all elected state and local officials in the surrounding areas are invited. Councilmember Day stated that some of the attendees will include: Mayor of Columbus, Georgia; Mayor of Tuskegee, Alabama; Mayor of Hurtsboro, Alabama; and the Mayor of Smiths Station, Alabama. Councilmember Day also stated that the General of Ft. Benning will send a representative as well. Councilmember Day also stated that the purpose of the luncheon is improving the relationships between the State and County Governments.

Councilmember Johnson advised everyone of the 1st Annual Festival of Arts on February 1, 2020 from 2:00 p.m. to 4:00 p.m. at the Central High School Cafetorium and Auditorium. Councilmember Johnson encouraged everyone to please come out and support our children. Councilmember Johnson stated that the event will include students from the band, choir, visual arts, drama and theatre and the culinary arts departments.

Mayor Lowe thanked CTV Beam for providing services for the citizens of Phenix City, Alabama.

There being no further business to address, the meeting thus adjourned until February 4, 2020.